

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO. 3:17-CR-00134-FDW-SCR**

**UNITED STATES OF AMERICA**

**v.**

**JAMES BAXTON,**


**Defendants.**

**ORDER**

**THIS MATTER** is before the Court on Defendant's Pro Se Motion for Compassionate Release, (Doc. No. 3268). The Court hereby **ORDERS** the Government to respond to the merits of Defendant's motion, including arguments and/or concessions on the 18 USCA § 3553(a) factors. If applicable, the response should also include whether or not Defendant has received, is scheduled to receive, or has refused to receive the COVID-19 vaccine. The Government shall have forty-four (44) from the date of this Order to file its response with the Court. The Government shall advise the United States Probation Office if the Government believes a supplemental Presentence Investigation Report will be required. Defendant may file a final reply brief within twenty-eight (28) days of service of the Government's response.

**IT IS SO ORDERED.**

Signed: May 3, 2023

  
Frank D. Whitney  
United States District Judge